

RECEIVED PCT/PTO 06 JUN 2002

Docket No. 218082US6PCT
 IN RE APPLICATION OF: Erich BAYER
 SERIAL NO: 10/030,191
 FILED: February 4, 2002
 FOR: OTOPLASTY FOR BEHIND-THE-EAR (BTE) HEARING AIDS

ASSISTANT COMMISSIONER FOR PATENTS
 WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Notification of Missing Requirements/Response to Notification/Declaration

The Fee has been calculated as shown below:

The FCC has been calculated as follows:							
CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS	
TOTAL	18	MINUS	20	0	x \$18 =	\$0.00	
INDEPENDENT	2	MINUS	3	0	x \$84 =	\$0.00	
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00	
		TOTAL OF ABOVE CALCULATIONS					\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity					\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00	
		TOTAL					\$0.00

- ☐ A check in the amount of \$0.00 is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
 MAIER & NEUSTADT, P.C.

Surinder Sachar

Gregory J. Maier
 Registration No. 25,599
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Rec'd PCT/PTO 06 JUN 2002

DOCKET NO.: 218082US6PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Erich BAYER

SERIAL NUMBER: 10/030,191

FILED: 4 February 2002

FOR: OTOPLASTY FOR BEHIND-THE-EAR (BTE) HEARING AIDS

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
ASSISTANT COMMISSIONER FOR PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **11 April 2002**, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration and a Preliminary Amendment. As a result of the Preliminary Amendment, no multiple dependencies remain in the claims. Accordingly, no additional claims fees are due.

The required surcharge was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599
Surinder Sachar
Registration No. 34,423



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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/030,191	Erich Bayer	218082US6PCT

INTERNATIONAL APPLICATION NO.

PCT/EP00/10109

I.A. FILING DATE	PRIORITY DATE
10/13/2000	10/14/1999

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 OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
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 1755 JEFFERSON DAVIS HIGHWAY
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CONFIRMATION NO. 8699

371 FORMALITIES LETTER



OC000000007838699

Date Mailed: 04/11/2002

Decl/Added Claims Fees
6/1/02

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination
- Small Entity Statement

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 MAIER & NEUSTADT, P.C.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$140 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$140 for a Small Entity:

- Total additional claim fee(s) for this application is \$140
 - \$140 for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,191	PCT/EP00/10109	218082US6PCT